

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

STRAIGHT PATH IP GROUP, INC.

Plaintiff,

vs.

Case No. 1:13-cv-1366-LMB-TRJ

VONAGE HOLDINGS CORP.,
VONAGE AMERICA, INC., and
VONAGE MARKETING LLC,

Defendants.

MAYERNIK DECLARATION IN SUPPORT OF MOTION TO TRANSFER VENUE

I, Mike Mayernik, hereby declare as follows:

1. I am over the age of 21, have never been convicted of a felony or crime of moral turpitude, and am otherwise competent to make this declaration. I declare under penalty of perjury that the following is true and correct and within my personal knowledge.
2. I am the Senior Director of Network Operations for Vonage Holdings Corporation ("Vonage Holdings").
3. My office at Vonage Holdings is located at 23 Main Street, Holmdel, New Jersey.
4. Vonage Holdings is the parent company of Vonage America Inc. ("Vonage America") and Vonage Marketing LLC ("Vonage Marketing").
5. Vonage Holdings, Vonage America, and Vonage Marketing (collectively, "Vonage") are incorporated in Delaware and are headquartered in Holmdel, New Jersey.
6. Vonage provides telephone services to millions of customers throughout the United States using an internet-based technology called Voice over Internet Protocol ("VoIP")—which Vonage designs, develops, markets, and sells from its New Jersey headquarters.
7. Vonage began developing its VoIP technology in 2001, and has since invested millions of dollars and thousands of engineer hours to further develop its proprietary VoIP technology.

8. I understand that the plaintiff in this case, Straight Path IP Group, Inc., has accused Vonage's VoIP products and services of infringing certain patents.

9. The vast majority of Vonage's employees, including nearly all of its executives and engineers, work at Vonage's headquarters in Holmdel, New Jersey.

10. Graham McGonigal, Senior Vice President Network Operations, works at Vonage's headquarters in Holmdel, New Jersey, and has knowledge relevant to the design and operation of the accused products and services in this case. Mr. McGonigal regularly commutes to Vonage's New Jersey headquarters from Georgia.

11. Nirav J. Kadakia, Network Architect, works at Vonage's headquarters in Holmdel, New Jersey, and has knowledge relevant to the design and operation of the accused products and services in this case.

12. Boaz Zehavi, Director of Software Development for Mobile, works at Vonage's headquarters in Holmdel, New Jersey, and has knowledge relevant to the design and operation of the accused products and services in this case.

13. Paul Walker, Vice President of Sales, works at Vonage's headquarters in Holmdel, New Jersey, and has knowledge relevant to the marketing of the accused products and services in this case.

14. Craig Wert, Vice President Financial Planning and Analysis, works at Vonage's headquarters in Holmdel, New Jersey, and has knowledge of financial information regarding the accused products and services in this case.

15. Baruch Sterman, Vice President of Technology Research, works at Vonage's office in Tel Aviv, Israel, and has knowledge relevant to the design and operation of the accused products and services in this case.

16. Vonage does not have any offices, stores, laboratories, or manufacturing facilities in Virginia.


17. Vonage's only "property" in Virginia is a rented "data center" in Ashburn—one of five data centers located around the world that are involved in routing VoIP calls on the Vonage network. The data center is part of a third-party facility and is also used as back up storage for Vonage's servers in New Jersey.

18. Vonage has only one permanent employee in Virginia. The employee's duties in Virginia are maintaining Vonage network and server equipment and running cable to support Vonage equipment installs.

19. Vonage maintains nearly all of its documents at its headquarters in New Jersey, including documents relating to the design, operation, marketing, and sale of its accused VoIP products and services.

20. Vonage has 886 employees. Nearly all of Vonage's employees work in Holmdel, New Jersey. Only 14 of Vonage's employees are remote employees whose home is their prime location.

Executed this 19th day of December 2013 in Holmdel, New Jersey.


Mike Mayernik
Senior Director of Network Operations
Vonage Holdings Corp.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the December 20, 2013, a true and correct copy of the foregoing pleading or paper was electronically filed with the Clerk of Court using the CM/ECF system, which will then send a notification of such electronic filing to the following:

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